

A circular black and white stamp. The outer ring contains the text "OIP" at the top and "PATENT & TRADEMARK OFFICE" at the bottom. In the center, the date "MAY 09 2002" is stamped.

RECEIVED
MAY 14 2002
TECHNOLOGY CENTER 3700

TIME OF FILING

This information disclosure statement is being filed:

- ☒ 1. with the application or within three months of the filing date of the application or date of entry into the national stage of an international application or, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits, whichever event occurs last. In accordance with 37 CFR §1.97(b), no certification or fee is required.
- ☐ 2. after the time period specified in paragraph 1 above, but, to the best of the undersigned's knowledge, before the mailing date of a final action under 37 CFR §1.113 or notice of allowance under 37 CFR §1.311. Therefore, in accordance with 37 CFR §1.97(c), submitted herewith is:

(check either A or B below)

- A. a certification as specified in 37 CFR §1.97(e).
 - B. the fee set forth in 37 CFR §1.17(p) for submission of an information disclosure statement under 37 CFR §1.97(c).
- ☐ 3. after the mailing date of either a final action under 37 CFR §1.113 or a notice of allowance under 37 CFR §1.311, whichever occurs first, but before payment of the issue fee. Therefore, Applicant submits herewith:
 - A. a certification as specified in 37 CFR §1.97(e);
 - B. the petition fee set forth in 37 CFR §1.17(i); and
 - C. the accompanying petition under 37 CFR §1.97(d).

CERTIFICATION

(only used if No. 2 or No. 3 above is checked)

The person(s) signing below certify

(check appropriate paragraph)

that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 CFR §1.97(e)(1).

OR

that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement. 37 CFR §1.97(e)(2).

PETITION

(only used if No. 3 above is checked)

Applicant(s) hereby petition(s) pursuant to 37 C.F.R. § 1.97(d) that this Information Disclosure Statement, Form PTO-1449, and document(s) identified therein be considered.

PRIOR AND RELATED APPLICATIONS

In accordance with 37 CFR §1.98(d), copies of the patents and publications listed on the enclosed PTO Form-1449 are not provided because the patents and publications were previously cited by, or submitted to, the Patent Office in a prior application that Applicant(s) rely upon for an earlier filing date under 35 U.S.C. §120. Documents listed on the attached Form PTO-1449 were cited by, or submitted to, the examiner of the following patent application(s):

Applicant(s):

Serial No.

Filing Date:

Title:

Status:

Other applications related to application Serial No. are:

Applicant(s):

Serial No.

Filing Date:

Title:

Status:

METHOD OF PAYMENT

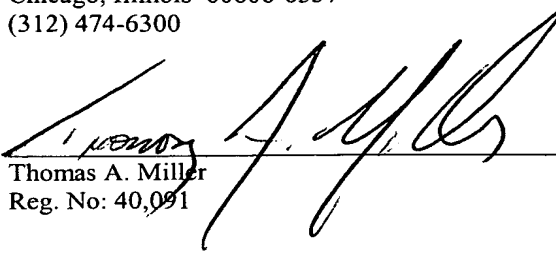
- ☒ No fee is required.
☐ Attached is a check in the amount of \$_____.

The Commissioner is authorized to charge any fee deficiency required by this paper, or credit any overpayment, to Deposit Account No. 13-2855. A copy of this paper is enclosed.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300

By:


Thomas A. Miller
Reg. No: 40,091

May 6, 2002

Please type a plus sign inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/043,052

Filing Date

Jan. 9, 2002

First Named Inventor

Houde

Group Art Unit

Unassigned

Examiner Name

Unassigned

Attorney Docket Number

29985/01-059

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional
Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication
to Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☐ Other Enclosure(s)
(please identify below)

Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual Name

Marshall, Gerstein & Borun
6300 Sears Tower
233 South Wacker Drive
Chicago, IL 60606-6357

Signature

Thomas A. Miller, Reg. No. 40,091

Date

May 6, 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: May 6, 2002 Signature: _____ (Name of Signer) Thomas A. Miller



Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/043,052
				Filing Date	Jan. 9, 2002
				First Named Inventor	Houde
				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	1	of	1	Attorney Docket Number	29985/01-059

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	5,356,375	10/18/1994	Higley	
	A2	5,378,229	1/03/1999	Layer, <i>et al.</i>	
	A3	5,423,751	6/13/1995	Harrison, <i>et al.</i>	
	A4	5,533,978	7/09/1996	Terstein	
	A5	5,569,208	10/29/1996	Woelpper, <i>et al.</i>	
	A6	5,573,515	11/12/1996	Wilson, <i>et al.</i>	
	A7	5,618,268	4/08/1997	Raines, <i>et al.</i>	
	A8	5,800,397	9/01/1998	Wilson, <i>et al.</i>	
	A9	Des. 404,717	1/26/1999	Duchon, <i>et al.</i>	
	A10	5,916,165	6/29/1999	Duchon, <i>et al.</i>	
	A11	5,988,587	11/23/1999	Duchon, <i>et al.</i>	
	A12	6,030,368	2/29/2000	Anwar, <i>et al.</i>	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
	B1	WO 99/24094	05/20/1999	EPO	
	B2	WO 00/53242	09/14/2000	EPO	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered.